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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

DAVID M. SKINNER,

Plaintiff,

<u>ORDER</u>

06-CV-6119L

v.

MARC CHAPMAN, DEBRA BREESE,

Defendants.

By motion filed June 15, 2007 (Dkt. #18), plaintiff requests appointment of counsel. There is not an unlimited number of attorneys willing to take *pro bono* assignments. Plaintiff has demonstrated an ability to prosecute this action, *pro se*. I have reviewed all of the factors that are appropriate in determining whether appointment is necessary and conclude that the case is not sufficiently meritorious to warrant appointment of counsel.

CONCLUSION

Plaintiff's motion for appointment of counsel (Dkt. #18) is denied.

IT IS SO ORDERED.

DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York June 19, 2007.